

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Guerra Group Art Unit: 3744
Application Serial Number: 10/672,325 Filing Date: September 26, 2003

Director of Patents and Trademarks
PO Box 1450
Alexandria VA 22313

Dear Sir:

In the above referenced application:

This response follows the "Revised Amendment Format" recently enacted by the USPTO. The following sections will each appear on a separate page. These are:

1. Introductory Comments;
2. Amendments to the Specification; and
3. Amendments to the Claims; and
4. Remarks.

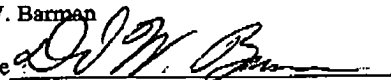
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6 Total Pages

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Received 4 pages
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INTRODUCTORY COMMENTS

This is in response to the Office Action of July 30, 2004. The three month time period for a timely response ends October 30, 2004. Because October 30, 2004 is a Saturday, the time period for a timely response extends to November 1, 2004. This response is timely filed.

Claims 1-10 are pending in the current Office Action.

Applicant is canceling claims 6 and 7.

The Office Action has raised certain objections and rejections to the subject application. It is believed by the amendments presented herein, the objections and rejections raised in the Office Action have been addressed. Applicant asserts no new matter has been added by these amendments. Favorable consideration is earnestly solicited.

AMENDMENTS TO THE SPECIFICATION

There are no amendments to the specification.

AMENDMENTS TO THE CLAIMS

1 (amended) A machine for producing an evaporative snow as small individualized particles which are easily dispersed, are free from agglomerates and leave no moisture and residue in the area of use, said machine comprised of a pump to deliver evaporative snow solution to a flake generator comprising of an impeller or impellers which causes the flakes to form on the surface of a sock, said flakes are dispersed by a sock by a airflow of 500-3000 cubic feet per minute, created by said impeller (s) and produces external noise levels up to around 90 decibels measured three feet from the machine wherein external noise is reduced through: (a) directing air flow to a plastic duct; (b) sealing the duct with acoustical foam; (c) containing the fan in the duct in a non rigid mounting; (d) and by using special sized and shaped foam baffles to reflect and absorb noise energy, that are rotated to counteract a particular fan frequency.

2. (original) The machine of claim 1 wherein said external noise levels are between about 50-80 decibels measured three feet from the machine.

3. (original) The machine of claim 1 wherein said external noise levels are between about 50-70 decibels measured three feet from the machine.

4. (original) The machine of claim 1 wherein said external noise levels are between about 50-60 decibels measured three feet from the machine.